

**Township of Berkeley Heights
Union County, New Jersey
January 2, 2018
Reorganization Meeting – 7:00 p.m.**

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Adequate notice of this meeting has been provided by posting same on the bulletin board of Town Hall, forwarding a copy to the Courier News and Star Ledger at least forty-eight hours prior to this meeting, all in accordance with the Open Public Meetings Act.

**I. Call to Order – 7:00 PM**

**II. Flag Salute**

**III. Invocation – Pastor Debra Whitten**

**IV. Roll Call:**

Peter Bavoso  
Manuel Couto  
Michael D'Aquila  
Jeanne Kingsley  
Craig Pastore  
Susan Poage  
Robert Woodruff, Mayor

**V. Administration of Oath of Office and Presentation of Certificate of Election to Jeanne Kingsley**

**VI. Administration of Oath of Office and Presentation of Certificate of Election to Susan Poage.**

**VII. Nominations for Council President and Council Vice President for the 2018 Township Council.**

- A. The Mayor opens nominations for Council President
- B. The Mayor opens nominations for Council Vice President

**VIII. HEARING ON AGENDA ITEMS ONLY – 3 minutes per resident**

Comments are welcome during the public comment period during this meeting on any agenda item. However, if an ordinance is listed for its own public hearing on the agenda, please hold your comments for that particular public hearing. To make your comment, the speaker must come forward to the microphone and state his/her name and address for the record. Each speaker is limited to 3 minutes. The (Mayor/Council President) will keep time. Please promptly yield on the floor when time is called and return to your seat. Your cooperation in adherence to these rules of order will ensure an orderly and respectful meeting.

## **IX. RESOLUTIONS FOR 2018 REORGANIZATION:**

### **A. RESOLUTIONS**

1. Resolution consenting to the Appointment of McElroy, Deutsch, Mulvaney & Carpenter, LLP as Township Attorney.
2. Resolution consenting to the appointment of Michael Mitzner as the Municipal Prosecutor.
3. Resolution consenting to the appointment of August Santore as the Public Defender.
4. Resolution appointing Anthony Padovano, Jr. as Chief of the Berkeley Heights Volunteer Fire Department.
5. Resolution consenting to the appointment of Samuel Klein and Company, as Township Auditor.
6. Resolution consenting to the appointment of McManimon and Scotland, LLC, as the Township Bond Counsel.
7. Resolution consenting to the appointment of McManimon and Scotland, LLC, as Redevelopment Counsel.
8. Resolution consenting to the appointment of DiFrancesco, Bateman, Coley, Yospin, Kunzman, Davis, Lehrer & Flaum, PC, as Township Tax Attorney.
9. Resolution consenting to the appointment of Jeffrey R. Surenian & Associates, LLC, as Township Affordable Housing Attorney.
10. Resolution consenting to the appointment of McElroy, Deutsch, Mulvaney & Carpenter, LLP, as the Township Labor Attorney.
11. Resolution consenting to the appointment of Brown & Brown Metro, Inc. as the Township Insurance Broker.
12. Resolution consenting to the appointment of Van Cleef Engineering Associates to Engineering Services related to Waste Water Treatment.
13. Resolution consenting to the appointment of Harbor Consultants as Township Planner.
14. Resolution consenting to the appointment of Value Research for real estate appraisal and consulting services
15. Resolution authorizing Barbara Russo as Fund Commissioner and John Bussiculo as Alternate Fund Commissioner for the Garden State Municipal Joint Insurance Fund.
16. Resolution appointing Jeanne Kingsley, Council Representative, to the Planning Board.

17. Resolution authorizing a Shared Services Agreement with the Borough of Madison for the provision of IT Services.
18. Resolution awarding a contract for Sludge Hauling, to SpectraServ, 75 Jacobus Avenue, South Kearney, NJ 07032 , for a (3) year term expiring in December 31, 2020, in the amount not to exceed \$124,020.00.
19. Resolution awarding a contract for Calcium Hydroxide contract to Greer Lime Company, P.O. Box 1900, Morgantown, West Virginia, 26507, in the amount not to exceed \$27,020.00.
20. Resolution awarding a contract for a Capital Project for Intermediate Pumps Replacement to Rapid Pump and Meter Service Company in the amount not to exceed \$328,480.00.
21. Resolution awarding a contract for HVAC Service and Repairs to Envirocon, LLC, 490 Schooleys Mountain Road, Hackettstown, NJ 07840, in the amount not to exceed \$4,100.00.
22. Resolution authorizing the extension of the contract with Rapid Pump & Meter for the provision of On Call Repair Services for the Water Pollution Control Plant.
23. Resolution authorizing the contract with Van Cleef for the provision of on-call licensed operator (S-4) services for the Township's Water Pollution Control Plant.
24. Resolution authorizing a contract for Aluminum Sulfate, with USALCO, 2601 Cannery Avenue, Baltimore, MD 21226, for a (2) year period, in an amount not to exceed \$108,119.00.
25. Resolution appointing CGP&H LLC., Administrative Agent for Affordable Housing Matters for the Township of Berkeley Heights.
26. Resolution authorizing appropriations to provide for period of January 1, 2018 until budget adoption, not to exceed 26.25% of the 2017 budget.
27. Resolution authorizing the appropriations for temporary budget debt service for the Township of Berkeley Heights for the coming fiscal year.
28. Resolution appointing John Bussiculo as Public Agency Compliance Officer for the Township.
29. Resolution authorizing the Interlocal Agreement with the Township of Millburn for the provision of animal control services for the Township of Berkeley Heights.
30. Resolution appointing Michael Wittenberg, John Henry Barr, Howard Egenberg and Dawn Donohue as Alternate Municipal Prosecutors for the year 2018.
31. Resolution appointing Jared Weiss and Thomas J. Dooley as Alternate Public Defenders for the year 2018.

**32 .CONSENT AGENDA** – All matters listed under Consent Agenda are considered routine by the Township Council and will be enacted upon by one motion; there will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

- a. Resolution Establishing Council Meeting Schedule for 2018.
- b. Resolution designating Courier and Star Ledger as the legal newspapers for the Township.
- c. Resolution authorizing Mayor, Assistant Treasurer and Township Treasurer to sign checks, legal documents, etc.
- d. Resolution authorizing Township Treasurer to maintain a payroll account with TD Bank and draw there from.
- e. Resolution establishing interest rate on delinquent taxes and sewer charges up to \$1,500.00 and interest rate on delinquent taxes and sewer charges in excess of \$10,000.00 and allowing for a ten (10) calendar day grace period on both.
- f. Resolution authorizing establishment of Petty Cash Funds.
- g. Resolution authorizing the Tax Collector to conduct an annual tax sale of the prior year delinquencies.
- h. Resolution authorizing the Tax Collector to process without further action, any cancellation of property tax overpayments or delinquencies of less than \$10.00.
- i. Resolution designating depositories of Township funds for the year 2018.

**X. Mayor's Statement**

**XI. Township Council Statements**

**XII. CITIZENS HEARING - 3 minutes per resident**

Comments are welcome during the public comment period during this meeting on any matter over which the Township has jurisdiction. To make your comment, the speaker must come forward to the microphone and state his/her name and address for the record. Each speaker is limited to 3 minutes. The Mayor and/or Council will keep time. Please promptly yield the floor when time is called and return to your seat. Your cooperation in adherence to these rules of order will ensure an orderly and respectful meeting.

**XIII. Benediction – Pastor Debra Whitten**

**XIV. Adjournment**

**Ana Minkoff  
Township Clerk**

**TOWNSHIP OF BERKELEY HEIGHTS  
UNION COUNTY, NEW JERSEY**

**RESOLUTION**

**WHEREAS**, the Township of Berkeley Heights will require the services of a **Township Attorney** during 2018; and

**WHEREAS**, the Township Council desires to consent to the Mayor's appointment of **McElroy, Deutsch, Mulvaney & Carpenter, LLP** to such position for a term to expire December 31, 2018; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A: 11-1 et seq.) requires that the resolution authorizing the award of a contract for professional services without competitive bids must be publicly advertised; and

**WHEREAS**, this contract is awarded without competitive bidding as a "professional service" under the provisions of said Local Public Contracts Law because said services are rendered or performed by persons authorized by law to practice a recognized profession, which practice is regulated by law, and which practice requires the knowledge of an advanced type in a field of learning acquired by a prolonged, formal course of specified education and instruction, and because it is impossible at this time to know the exact dimensions of the services to be performed, and accordingly, written specifications, and additionally, because the said services are of such a qualitative nature as will not permit the receipt of competitive bids due to the subjective difference in the work product of such persons and the fact that the ethical requirements of such profession will not permit such bidding; and

**NOW, THEREFORE, BE IT RESOLVED** that **McElroy, Deutsch, Mulvaney & Carpenter, LLP** is appointed **Township Attorney** for a term to expire December 31, 2018; and

**BE IT FURTHER RESOLVED** that the appropriate Township Officials be and they are hereby authorized to execute an Agreement with **McElroy, Deutsch, Mulvaney & Carpenter, LLP**.

A copy of this Resolution shall be published according to law within ten (10) days of the date of passage and copies forwarded to the Township Clerk, Office of the Treasurer and the appointee.

**APPROVED this 2nd day of January, 2018.**

**ATTEST:**

\_\_\_\_\_  
**Ana Minkoff**  
**Township Clerk**

**TOWNSHIP OF BERKELEY HEIGHTS  
UNION COUNTY, NEW JERSEY**

**RESOLUTION**

**WHEREAS**, the Township of Berkeley Heights will require the services of a **Municipal Prosecutor** during 2018; and

**WHEREAS**, the Township Council desires to consent to the Mayor's appointment of **Michael Mitzner** to such position for a term to expire December 31, 2018; and

**WHEREAS**, funds are available for this purpose; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.) requires that the resolution authorizing the award of a contract for professional services without competitive bids must be publicly advertised;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Berkeley Heights, Union County, New Jersey, in meeting assembled that

**Michael Mitzner**

be appointed as **Municipal Prosecutor** from January 1, 2018 to December 31, 2018

**WHEREAS**, this contract is awarded without competitive bidding as a "professional service" under the provisions of said Local Public Contracts Law because said services are rendered or performed by persons authorized by law to practice a recognized profession, which practice is regulated by law, and which practice requires the knowledge of an advanced type in a field of learning acquired by a prolonged, formal course of specified education and instruction, and because it is impossible at this time to know the exact dimensions of the services to be performed, and accordingly, written specifications, and additionally, because the said services are of such a qualitative nature as will not permit the receipt of competitive bids due to the subjective difference in the work product of such persons and the fact that the ethical requirements of such profession will not permit such bidding; and

A copy of this resolution shall be published in the appropriate paper as required by law within ten (10) days of its passage.

**BE IT FURTHER RESOLVED** that a copy of this resolution be transmitted to the Municipal Court Administrator, the Treasurer and the above appointee.

**Approved this 2nd day of January, 2018.**

**ATTEST:**

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**Ana Minkoff**  
**Township Clerk**

**TOWNSHIP OF BERKELEY HEIGHTS  
UNION COUNTY, NEW JERSEY**

**RESOLUTION**

**WHEREAS**, the Township of Berkeley Heights will require the services of a **Public Defender** during 2017; and

**WHEREAS**, the Township Council desires to consent to the Mayor's appointment of **August Santore** to such position for a term to expire December 31, 2018; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.) requires that the resolution authorizing the award of a contract for professional services without competitive bids must be publicly advertised;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Berkeley Heights, Union County, New Jersey, in meeting assembled that

**August Santore**

be appointed as **Public Defender** from January 1, 2018 to December 31, 2018.

**WHEREAS**, this contract is awarded without competitive bidding as a "professional service" under the provisions of said Local Public Contracts Law because said services are rendered or performed by persons authorized by law to practice a recognized profession, which practice is regulated by law, and which practice requires the knowledge of an advanced type in a field of learning acquired by a prolonged, formal course of specified education and instruction, and because it is impossible at this time to know the exact dimensions of the services to be performed, and accordingly, written specifications, and additionally, because the said services are of such a qualitative nature as will not permit the receipt of competitive bids due to the subjective difference in the work product of such persons and the fact that the ethical requirements of such profession will not permit such bidding; and

A copy of this resolution shall be published in the appropriate paper as required by law within ten (10) days of its passage.

**BE IT FURTHER RESOLVED** that a copy of this resolution be transmitted to the Municipal Court Administrator, the Treasurer and the above appointee.

**Approved this 2nd day of January, 2018.**

**ATTEST:**

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**Ana Minkoff  
Township Clerk**

**TOWNSHIP OF BERKELEY HEIGHTS  
UNION COUNTY, NEW JERSEY**

**RESOLUTION**

**IT IS HEREBY RESOLVED** that the Township Council of the Township of Berkeley Heights, Union County, New Jersey, that Anthony Padovano Jr. , 1075 Plainfield Avenue, Berkeley Heights, NJ, is hereby appointed as Chief of the Berkeley Heights Volunteer Fire Department effective January 1, 2018.

**BE IT FURTHER RESOLVED** that a copy of this Resolution be forwarded to Anthony Padovano, Jr.

**APPROVED this 2<sup>nd</sup> day of January, 2018**

**ATTEST:**

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Ana Minkoff  
Township Clerk



**TOWNSHIP OF BERKELEY HEIGHTS  
UNION COUNTY, NEW JERSEY**

**RESOLUTION**

**WHEREAS**, the Township of Berkeley Heights will require the services of a **Township Auditor** during 2018; and

**WHEREAS**, the Township Council desires to consent to the Mayor's appointment of **Samuel Klein and Company** to such position for a term to expire December 31, 2018; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A.40A:11-1et seq.) requires that the resolution authorizing the award of a contract for professional services without competitive bids must be publicly advertised; and

**WHEREAS**, this contract is awarded without competitive bidding as a "professional service" under the provisions of said Local Public Contracts Law because said services are rendered or performed by persons authorized by law to practice a recognized profession, which practice is regulated by law, and which practice requires the knowledge of an advanced type in a field of learning acquired by a prolonged, formal course of specified education and instruction, and because it is impossible at this time to know the exact dimensions of the services to be performed, and accordingly, written specifications, and additionally, because the said services are of such a qualitative nature as will not permit the receipt of competitive bids due to the subjective difference in the work product of such persons and the fact that the ethical requirements of such profession will not permit such bidding; and

**NOW, THEREFORE, BE IT RESOLVED** that **Samuel Klein and Company** is appointed **Township Auditor** for a term to expire December 31, 2018; and

**BE IT FURTHER RESOLVED** that the appropriate Township Officials are hereby authorized to execute an Agreement with **Samuel Klein and Company**.

A copy of this Resolution shall be published according to law within ten (10) days of the date of passage and copies forwarded to the Township Clerk, Office of the Treasurer and the appointee.

**APPROVED** this 2nd day of January, 2018.

**ATTEST:**

\_\_\_\_\_  
**Ana Minkoff**  
**Township Clerk**

**TOWNSHIP OF BERKELEY HEIGHTS  
UNION COUNTY, NEW JERSEY**

**RESOLUTION**

**WHEREAS**, the Township of Berkeley Heights will require the services of a **Township Bond Counsel** during 2018; and

**WHEREAS**, the Township Council desires to consent to the Mayors appointment of **McManimon and Scotland, LLC** to such position for a term to expire December 31, 2018; and

**WHEREAS**, the Township Bond Counsel will be called upon to render services to the Township which are beyond those required by such Administrative Code and the Township desires to provide for the rendering of such services by entering into an Agreement with regard thereto establishing the terms of compensation therefore; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A.40A:11-1 et seq.) requires that the resolution authorizing the award of a contract for professional services without competitive bids must be publicly advertised; and

**WHEREAS**, this contract is awarded without competitive bidding as a "professional service" under the provisions of said Local Public Contracts Law because said services are rendered or performed by persons authorized by law to practice a recognized profession, which practice is regulated by law, and which practice requires the knowledge of an advanced type in a field of learning acquired by a prolonged, formal course of specified education and instruction, and because it is impossible at this time to know the exact dimensions of the services to be performed, and accordingly, written specifications, and additionally, because the said services are of such a qualitative nature as will not permit the receipt of competitive bids due to the subjective difference in the work product of such persons and the fact that the ethical requirements of such profession will not permit such bidding; and

**NOW, THEREFORE, BE IT RESOLVED** that **McManimon and Scotland, LLC** is appointed **Township Bond Counsel** for a term to expire December 31, 2018; and

**BE IT FURTHER RESOLVED** that the appropriate Township Officials be and they are hereby authorized to execute an Agreement with **McManimon and Scotland, LLC**.

A copy of this Resolution shall be published according to law within ten (10) days of the date of passage and copies forwarded to the Township Clerk, Office of the Treasurer and the appointee.

**APPROVED this 2nd day of January, 2018.**

**ATTEST:**

\_\_\_\_\_  
**Ana Minkoff**  
**Township Clerk**

**TOWNSHIP OF BERKELEY HEIGHTS  
UNION COUNTY, NEW JERSEY**

**RESOLUTION**

**WHEREAS**, the Township of Berkeley Heights will require the services of **Redevelopment Counsel** during 2018; and

**WHEREAS**, the Township Council desires to consent to the Mayor's appointment of **McManimon and Scotland, LLC** to such position for a term to expire December 31, 2018; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A.40A:11-1et seq.) requires that the resolution authorizing the award of a contract for professional services without competitive bids must be publicly advertised; and

**WHEREAS**, this contract is awarded without competitive bidding as a "professional service" under the provisions of said Local Public Contracts Law because said services are rendered or performed by persons authorized by law to practice a recognized profession, which practice is regulated by law, and which practice requires the knowledge of an advanced type in a field of learning acquired by a prolonged, formal course of specified education and instruction, and because it is impossible at this time to know the exact dimensions of the services to be performed, and accordingly, written specifications, and additionally, because the said services are of such a qualitative nature as will not permit the receipt of competitive bids due to the subjective difference in the work product of such persons and the fact that the ethical requirements of such profession will not permit such bidding; and

**NOW, THEREFORE, BE IT RESOLVED** that **McManimon and Scotland, LLC** is appointed **Township Redevelopment Counsel** for a term to expire December 31, 2018; and

**BE IT FURTHER RESOLVED** that the appropriate Township Officials be and they are hereby authorized to execute an Agreement with **McManimon and Scotland, LLC** .

A copy of this Resolution shall be published according to law within ten (10) days of the date of passage and copies forwarded to the Township Clerk, Office of the Treasurer and the appointee.

**APPROVED this 2nd day of January, 2018.**

**ATTEST:**

\_\_\_\_\_  
**Ana Minkoff**  
**Township Clerk**

**TOWNSHIP OF BERKELEY HEIGHTS  
UNION COUNTY, NEW JERSEY**

**RESOLUTION**

**WHEREAS**, the Township of Berkeley Heights will require the services of a **Township Tax Attorney** during 2018; and

**WHEREAS**, the Township Council desires to consent to the Mayor's appointment of **DiFrancesco, Bateman, Coley, Yospin, Kunzman, Davis, Lehrer & Flaum, PC** to such position for a term to expire December 31, 2018; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A.40A:11-1et seq.) requires that the resolution authorizing the award of a contract for professional services without competitive bids must be publicly advertised; and

**WHEREAS**, this contract is awarded without competitive bidding as a "professional service" under the provisions of said Local Public Contracts Law because said services are rendered or performed by persons authorized by law to practice a recognized profession, which practice is regulated by law, and which practice requires the knowledge of an advanced type in a field of learning acquired by a prolonged, formal course of specified education and instruction, and because it is impossible at this time to know the exact dimensions of the services to be performed, and accordingly, written specifications, and additionally, because the said services are of such a qualitative nature as will not permit the receipt of competitive bids due to the subjective difference in the work product of such persons and the fact that the ethical requirements of such profession will not permit such bidding; and

**NOW, THEREFORE, BE IT RESOLVED** that **DiFrancesco, Bateman, Coley, Yospin, Kunzman, Davis, Lehrer & Flaum, PC** is appointed **Township Tax Attorney** for a term to expire December 31, 2018; and

**BE IT FURTHER RESOLVED** that the appropriate Township Officials are hereby authorized to execute an Agreement with **DiFrancesco, Bateman, Coley, Yospin, Kunzman, Davis, Lehrer & Flaum, PC**.

A copy of this Resolution shall be published according to law within ten (10) days of the date of passage and copies forwarded to the Township Clerk, Office of the Treasurer and the appointee.

**APPROVED this 2nd day of January, 2018.**

**ATTEST:**

\_\_\_\_\_  
**Ana Minkoff**  
**Township Clerk**

**TOWNSHIP OF BERKELEY HEIGHTS  
UNION COUNTY, NEW JERSEY**

**RESOLUTION**

**WHEREAS**, the Township of Berkeley Heights will require the services of a **Township Affordable Housing Attorney** during 2018; and

**WHEREAS**, the Township Council desires to consent to the Mayor's appointment of **Jeffrey R. Surenian and Associates, LLC** to such position for a term to expire December 31, 2018; and

**WHEREAS**, the Township Affordable Housing Attorney will be called upon to render services to the Township which are beyond those required by such Administrative Code and the Township desires to provide for the rendering of such services by entering into an Agreement with regard thereto establishing the terms of compensation therefore; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A.40A:11-1 et seq.) requires that the resolution authorizing the award of a contract for professional services without competitive bids must be publicly advertised; and

**WHEREAS**, this contract is awarded without competitive bidding as a "professional service" under the provisions of said Local Public Contracts Law because said services are rendered or performed by persons authorized by law to practice a recognized profession, which practice is regulated by law, and which practice requires the knowledge of an advanced type in a field of learning acquired by a prolonged, formal course of specified education and instruction, and because it is impossible at this time to know the exact dimensions of the services to be performed, and accordingly, written specifications, and additionally, because the said services are of such a qualitative nature as will not permit the receipt of competitive bids due to the subjective difference in the work product of such persons and the fact that the ethical requirements of such profession will not permit such bidding; and

**NOW, THEREFORE, BE IT RESOLVED** that **Jeffrey R. Surenian and Associates, LLC** is appointed **Township Affordable Housing Attorney** for a term to expire December 31, 2018; and

**BE IT FURTHER RESOLVED** that the appropriate Township Officials be and they are hereby authorized to execute an Agreement with **Jeffrey R. Surenian and Associates, LLC** ; and

A copy of this Resolution shall be published according to law within ten (10) days of the date of passage and copies forwarded to the Township Clerk, Office of the Treasurer and the appointee.

**APPROVED** this 2nd day of January, 2018.

**ATTEST:**

\_\_\_\_\_  
**Ana Minkoff**  
Township Clerk

**TOWNSHIP OF BERKELEY HEIGHTS  
UNION COUNTY, NEW JERSEY**

**RESOLUTION**

**WHEREAS**, the Township of Berkeley Heights will require the services of a **Township Labor Attorney** during 2018; and

**WHEREAS**, the Township Council desires to consent to the Mayor's appointment of **McElroy, Deutsch, Mulvaney & Carpenter, LLP** to such position for a term to expire December 31, 2018; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A: 11-1 et seq.) requires that the resolution authorizing the award of a contract for professional services without competitive bids must be publicly advertised; and

**WHEREAS**, this contract is awarded without competitive bidding as a "professional service" under the provisions of said Local Public Contracts Law because said services are rendered or performed by persons authorized by law to practice a recognized profession, which practice is regulated by law, and which practice requires the knowledge of an advanced type in a field of learning acquired by a prolonged, formal course of specified education and instruction, and because it is impossible at this time to know the exact dimensions of the services to be performed, and accordingly, written specifications, and additionally, because the said services are of such a qualitative nature as will not permit the receipt of competitive bids due to the subjective difference in the work product of such persons and the fact that the ethical requirements of such profession will not permit such bidding; and

**NOW, THEREFORE, BE IT RESOLVED** that **McElroy, Deutsch, Mulvaney & Carpenter, LLP** is appointed **Township Labor Attorney** for a term to expire December 31, 2018; and

**BE IT FURTHER RESOLVED** that the appropriate Township Officials are hereby authorized to execute an Agreement with **McElroy, Deutsch, Mulvaney & Carpenter, LLP**.

A copy of this Resolution shall be published according to law within ten (10) days of the date of passage and copies forwarded to the Township Clerk, Office of the Treasurer and the appointee.

**APPROVED this 2nd day of January, 2018.**

**ATTEST:**

\_\_\_\_\_  
**Ana Minkoff**  
**Township Clerk**



**TOWNSHIP OF BERKELEY HEIGHTS  
UNION COUNTY, NEW JERSEY**

**RESOLUTION**

**WHEREAS**, the Township of Berkeley Heights will require the services of a **Township Insurance Broker** during 2018; and

**WHEREAS**, the Township Council desires to consent to the Mayor's appointment of **Brown & Brown Metro, Inc.** to such position for a term to expire December 31, 2018; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A.40A:11-1et seq.) requires that the resolution authorizing the award of a contract for professional services without competitive bids must be publicly advertised; and

**WHEREAS**, this contract is awarded without competitive bidding as a "professional service" under the provisions of said Local Public Contracts Law because said services are rendered or performed by persons authorized by law to practice a recognized profession, which practice is regulated by law, and which practice requires the knowledge of an advanced type in a field of learning acquired by a prolonged, formal course of specified education and instruction, and because it is impossible at this time to know the exact dimensions of the services to be performed, and accordingly, written specifications, and additionally, because the said services are of such a qualitative nature as will not permit the receipt of competitive bids due to the subjective difference in the work product of such persons and the fact that the ethical requirements of such profession will not permit such bidding; and

**NOW, THEREFORE, BE IT RESOLVED** that **Brown & Brown Metro, Inc.** is appointed **Township Insurance Broker** for a term to expire December 31, 2018; and

**BE IT FURTHER RESOLVED** that the appropriate Township Officials are hereby authorized to execute an Agreement with **Brown & Brown Metro, Inc.**; and

A copy of this Resolution shall be published according to law within ten (10) days of the date of passage and copies forwarded to the Township Clerk, Office of the Treasurer and the appointee.

**APPROVED** this 2nd day of January, 2018.

**ATTEST:**

\_\_\_\_\_  
**Ana Minkoff**  
**Township Clerk**

**TOWNSHIP OF BERKELEY HEIGHTS  
UNION COUNTY, NEW JERSEY**

**RESOLUTION**

**WHEREAS**, the Township of Berkeley Heights will require the services of **Engineering Services Related to Waste Water Treatment** during 2018; and

**WHEREAS**, the Township Council desires to consent to the Mayor's appointment of **Van Cleef Engineering Associates** to such position for a term to expire December 31, 2018; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A.40A:11-1et seq.) requires that the resolution authorizing the award of a contract for professional services without competitive bids must be publicly advertised; and

**WHEREAS**, this contract is awarded without competitive bidding as a "professional service" under the provisions of said Local Public Contracts Law because said services are rendered or performed by persons authorized by law to practice a recognized profession, which practice is regulated by law, and which practice requires the knowledge of an advanced type in a field of learning acquired by a prolonged, formal course of specified education and instruction, and because it is impossible at this time to know the exact dimensions of the services to be performed, and accordingly, written specifications, and additionally, because the said services are of such a qualitative nature as will not permit the receipt of competitive bids due to the subjective difference in the work product of such persons and the fact that the ethical requirements of such profession will not permit such bidding; and

**NOW, THEREFORE, BE IT RESOLVED** that **Van Cleef Engineering Associates** is appointed to **Engineering Services related to Wastewater Treatment** for a term to expire December 31, 2018; and

**BE IT FURTHER RESOLVED** that the appropriate Township Officials be and they are hereby authorized to execute an Agreement with **Van Cleef Engineering Associates** .

A copy of this Resolution shall be published according to law within ten (10) days of the date of passage and copies forwarded to the Township Clerk, Office of the Treasurer and the appointee.

**APPROVED** this 2nd day of January, 2018.

**ATTEST:**

\_\_\_\_\_  
**Ana Minkoff**  
**Township Clerk**



**TOWNSHIP OF BERKELEY HEIGHTS  
UNION COUNTY, NEW JERSEY**

**RESOLUTION**

**WHEREAS**, the Township of Berkeley Heights will require the services of a **Township Planner** during 2018; and

**WHEREAS**, the Township Council desires to consent to the Mayor's appointment of **Harbor Consultants** to such position for a term to expire December 31, 2018; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A.40A:11-1et seq.) requires that the resolution authorizing the award of a contract for professional services without competitive bids must be publicly advertised; and

**WHEREAS**, this contract is awarded without competitive bidding as a "professional service" under the provisions of said Local Public Contracts Law because said services are rendered or performed by persons authorized by law to practice a recognized profession, which practice is regulated by law, and which practice requires the knowledge of an advanced type in a field of learning acquired by a prolonged, formal course of specified education and instruction, and because it is impossible at this time to know the exact dimensions of the services to be performed, and accordingly, written specifications, and additionally, because the said services are of such a qualitative nature as will not permit the receipt of competitive bids due to the subjective difference in the work product of such persons and the fact that the ethical requirements of such profession will not permit such bidding; and

**NOW, THEREFORE, BE IT RESOLVED** that **Harbor Consultants** is appointed as Township Planner for a term to expire December 31, 2018; and

**BE IT FURTHER RESOLVED** that the appropriate Township Officials be and they are hereby authorized to execute an Agreement with **Harbor Consultants**.

A copy of this Resolution shall be published according to law within ten (10) days of the date of passage and copies forwarded to the Township Clerk, Office of the Treasurer and the appointee.

**APPROVED** this 2nd day of January, 2018.

**ATTEST:**

\_\_\_\_\_  
**Ana Minkoff**  
**Township Clerk**

**TOWNSHIP OF BERKELEY HEIGHTS  
UNION COUNTY, NEW JERSEY**

**RESOLUTION**

**WHEREAS**, the Township of Berkeley Heights will require the services for **Real Estate Appraisal and Consulting Services** during 2018; and

**WHEREAS**, the Township Council desires to consent to the Mayor's appointment of **Arthur A. Linfante III on behalf of Value Research Group, LLC.** to such position for a term to expire December 31, 2018; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A.40A:11-1et seq.) requires that the resolution authorizing the award of a contract for professional services without competitive bids must be publicly advertised; and

**WHEREAS**, this contract is awarded without competitive bidding as a "professional service" under the provisions of said Local Public Contracts Law because said services are rendered or performed by persons authorized by law to practice a recognized profession, which practice is regulated by law, and which practice requires the knowledge of an advanced type in a field of learning acquired by a prolonged, formal course of specified education and instruction, and because it is impossible at this time to know the exact dimensions of the services to be performed, and accordingly, written specifications, and additionally, because the said services are of such a qualitative nature as will not permit the receipt of competitive bids due to the subjective difference in the work product of such persons and the fact that the ethical requirements of such profession will not permit such bidding; and

**NOW, THEREFORE, BE IT RESOLVED** that **Arthur A. Linfante III on behalf of Value Research Group, LLC.** is appointed for **Real Estate Appraisal and Consulting Services** for a term to expire December 31, 2018.

A copy of this Resolution shall be published according to law within ten (10) days of the date of passage and copies forwarded to the Township Clerk, Office of the Treasurer and the appointee.

**APPROVED** this 2<sup>nd</sup> day of January, 2018.

**ATTEST:**

\_\_\_\_\_  
**Ana Minkoff**  
**Township Clerk**

# 15

**TOWNSHIP OF BERKELEY HEIGHTS  
UNION COUNTY, NEW JERSEY**

**A RESOLUTION APPOINTING  
FUND COMMISSIONER AND ALTERNATE FUND COMMISSIONER  
FOR THE GARDEN STATE MUNICIPAL JOINT INSURANCE FUND**

**WHEREAS,** the Township of Berkeley Heights is a member of the Garden State Municipal Joint Insurance Fund ("GSMJIF"); and

**WHEREAS,** it is required by the GSMJIF bylaws for the Township of Berkeley Heights to have representation on the Board of Commissioners.

**NOW, THEREFORE, BE IT RESOLVED** on this 1st day of January, 2017 by the Council of the Township of Berkeley Heights, County of Union, State of New Jersey that:

1. **Barbara Russo** is hereby appointed as Fund Commissioner representing the Township of Berkeley Heights on the Garden State Municipal Joint Insurance Fund Board of Commissioners.
2. **John Bussiculo** is hereby appointed as Alternate Fund Commissioner representing the Township of Berkeley Heights on the Garden State Municipal Joint Insurance Fund Board of Commissioners.

I do hereby certify that the foregoing is a true copy of a resolution passed by the Council of the Township of Berkeley Heights at a meeting held on the 2nd day of January, 2018.

---

Ana Minkoff, Township Clerk

**TOWNSHIP OF BERKELEY HEIGHTS**  
**UNION COUNTY, NEW JERSEY**

**RESOLUTION**

**BE AND IT IS HEREBY RESOLVED** by the Township Council of the Township of Berkeley Heights, County of Union and State of New Jersey, in meeting assembled, that the following be appointed to the Planning Board for a term to expire 12/31/2018.

**PLANNING BOARD**

**Jeanne Kingsley, Township, Council Representative      12/31/2018**

**APPROVED this 2nd day of January, 2018.**

**ATTEST:**

\_\_\_\_\_  
**Ana Minkoff**  
**Township Clerk**

Agenda Item No.: 17

**TOWNSHIP OF BERKELEY HEIGHTS  
UNION COUNTY, NEW JERSEY**

**RESOLUTION**

**WHEREAS**, the Township of Berkeley Heights is in need of information technology support services ("IT Services"); and

**WHEREAS**, the Township of Berkeley Heights and the Borough of Madison negotiated a shared services agreement for the provision of IT Services; and

**WHEREAS**, the Township of Berkeley Heights and the Borough of Madison wish to enter into an agreement for the provision of IT Services for the Township; and

**WHEREAS**, the Township is authorized to enter into this Shared Services Agreement pursuant to the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, *et seq.*; and

**WHEREAS**, the Township and the Borough of Madison have negotiated an Shared Services Agreement for Shared Information Technology Services, which is attached hereto and made a part hereof; and

**WHEREAS**, the Township Council of the Township of Berkeley Heights find it to be in the best interest of the Township and its residents to enter into this Shared Services Agreement with the Borough of Madison for the provision of IT Services for the Township.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Township Council of the Township of Berkeley Heights, in the County of Union, and the State of New Jersey that the Shared Services Agreement for Shared Information Technology Services with the Borough of Madison for the provision of information technology support services for the Township be and hereby is approved; and that the Mayor and Township Clerk are authorized and directed to executed the attached Contract.

**BE IT FURTHER RESOLVED** that the appropriate Township officials are hereby authorized to take any and all action required to complete this Shared Services Agreement.

**BE IT FURTHER RESOLVED** that this Resolution shall take effect pursuant to law, and the adoption of the appropriate mechanism approving the Shared Services Agreement adopted by the Borough of Madison.

**APPROVED** this 2nd day of January, 2018.

**ATTEST:**

---

Ana Minkoff, Township Clerk

# 18

**TOWNSHIP OF BERKELEY HEIGHTS  
UNION COUNTY, NEW JERSEY**

**RESOLUTION**

**WHEREAS**, the Township accepted bids on November 30, 2017 for the provision of Sludge Hauling contract for the Water Pollution Control Plant for 2018; and

**WHEREAS**, by letter dated December 6, 2017, the Superintendent of Wastewater has recommended that the lowest responsible bid be awarded SpectraServ, 75 Jacobus Avenue, South Kearney, NJ 07032, be accepted and the Township Council concurs.

**NOW, THEREFORE BE IT RESOLVED** by the Township Council, Township of Berkeley Heights, County of Union, that the appropriate municipal officials are authorized to execute a (3) year contract with SpectraServ, 75 Jacobus Avenue, South Kearney, NJ 07032, for the provision of Sludge Hauling in an amount not to exceed \$124,020.00, and the Treasurer is authorized to pay properly completed vouchers up to such amount. The Township Clerk shall advertise the award of this contract in accordance with law.

**BE IT FURTHER RESOLVED** that a copy of this Resolution is to be forwarded to the Superintendent of Wastewater, Township Treasurer, and SpectraServ.

**BE IT FURTHER RESOLVED** that this resolution shall take effect upon publication and pursuant to law.

**APPROVED this 2nd day of January, 2018.**

**ATTEST:**

---

**Ana Minkoff  
Township Clerk**

# 19

**TOWNSHIP OF BERKELEY HEIGHTS  
UNION COUNTY, NEW JERSEY**

**RESOLUTION**

**WHEREAS**, the Township accepted bids on November 30, 2017, for the provision of Calcium Hydroxide for the December 6, 2017, the Superintendent of Wastewater has recommended that the lowest responsible bid be awarded to Greer Lime Company, P.O. Box 1900, Morgantown, W. Virginia, 26507-1900, be accepted and the Township Council concurs.

**NOW, THEREFORE BE IT RESOLVED** by the Township Council, Township of Berkeley Heights, County of Union, that the appropriate municipal officials are authorized to execute a (1)-year contract with Greer Lime Company for the provision of Calcium Hydroxide in an amount not to exceed \$27,020.00 per year amount and the Treasurer is authorized to pay properly completed vouchers up to such amount. The Township Clerk shall advertise the award of this contract in accordance with law.

**BE IT FURTHER RESOLVED** that a copy of this Resolution is to be forwarded to the Superintendent of Wastewater, Township Treasurer, and Greer Lime Company.

**BE IT FURTHER RESOLVED** that this resolution shall take effect upon publication and pursuant to law.

**APPROVED** this 2<sup>nd</sup> day of January, 2018.

**ATTEST:**

---

**Ana Minkoff  
Township Clerk**



# 20

**TOWNSHIP OF BERKELEY HEIGHTS  
UNION COUNTY, NEW JERSEY**

**RESOLUTION**

**WHEREAS**, the Township accepted bids on November 30, 2017 for the provision of Capital Project- Intermediate Pumps Replacement contract for the Water Pollution Control Plant for 2018; and

**WHEREAS**, by letter dated December 6, 2017, the Superintendent of Wastewater has recommended that the lowest responsible bid be awarded Rapid Pump and Meter Service Company, 285 Straight Street, Paterson, NJ 07509 be accepted and the Township Council concurs.

**NOW, THEREFORE BE IT RESOLVED** by the Township Council, Township of Berkeley Heights, County of Union, that the appropriate municipal officials are authorized to execute a contract with Rapid Pump and Meter Service Company, 285 Straight Street, Paterson, NJ 07509, for the provision of Capital Project- Intermediate Pumps Replacement in an amount not to exceed \$328,480.00, and the Treasurer is authorized to pay properly completed vouchers up to such amount. The Township Clerk shall advertise the award of this contract in accordance with law.

**BE IT FURTHER RESOLVED** that a copy of this Resolution is to be forwarded to the Superintendent of Wastewater, Township Treasurer, and Rapid Pump and Meter Service Company.

**BE IT FURTHER RESOLVED** that this resolution shall take effect upon publication and pursuant to law.

**APPROVED this 2nd day of January, 2018.**

**ATTEST:**

---

**Ana Minkoff  
Township Clerk**



#21

**TOWNSHIP OF BERKELEY HEIGHTS  
UNION COUNTY, NEW JERSEY**

**RESOLUTION**

**WHEREAS**, the Township accepted bids on November 30, 2017 for the provision of HVAC Service and Repairs contract for the Water Pollution Control Plant for 2017; and

**WHEREAS**, by letter dated December 7, 2017 the Superintendent of Wastewater has recommended that the lowest responsible bid be awarded to Envirocon, LLC, 490 Schooleys Mountain Road, Hackettstown, NJ 07840 be accepted and the Township Council concurs.

**NOW, THEREFORE BE IT RESOLVED** by the Township Council, Township of Berkeley Heights, County of Union, that the appropriate municipal officials are authorized to execute a (1)-year contract with Envirocon, LLC. for the provision of HVAC Service and Repair in an amount not to exceed \$4,100.00 per year for a total contract amount of \$4,100.00 and the Treasurer is authorized to pay properly completed vouchers up to such amount. The Township Clerk shall advertise the award of this contract in accordance with law.

**BE IT FURTHER RESOLVED** that a copy of this Resolution is to be forwarded to the Superintendent of Wastewater, Township Treasurer, and Envirocon LLC.

**BE IT FURTHER RESOLVED** that this resolution shall take effect upon publication and pursuant to law.

**APPROVED this 2nd day of January, 2018.**

**ATTEST:**

---

**Ana Minkoff  
Township Clerk**

#22

**TOWNSHIP OF BERKELEY HEIGHTS  
UNION COUNTY, NEW JERSEY  
RESOLUTION**

**WHEREAS**, the Township accepted bids on November 30, 2017 for the provision of On-Call Repair Services for the Water Pollution Control Plant for 2018; and

**WHEREAS**, there were no bids received by the Township, and Rapid Pump & Meter has agreed to an extension of the contract up to June 30, 2018.

**WHEREAS**, the Township Council concurs with the recommendations of the Superintendent and finds it to be in the best interests of the Township to extend the contract with Rapid Pump & Meter.

**NOW, THEREFORE BE IT RESOLVED** by the Township Council, Township of Berkeley Heights, County of Union, that the appropriate municipal officials are authorized to execute an extension of the contract with Rapid Pump & Meter for the provision of On Call Repairs Services for On-Site rate of \$100.00 per hour, In-Shop \$70.00 per hour, Emergency rate, On-site \$150.00 per hour, In-shop \$75.00 per hour and the Treasurer is authorized to pay properly completed vouchers up to such amount. The Township Clerk shall advertise the award of this contract in accordance with law.

**BE IT FURTHER RESOLVED** that a copy of this Resolution is to be forwarded to the Superintendent of Wastewater, Township Treasurer, and Rapid Pump & Meter Inc.

**BE IT FURTHER RESOLVED** that this resolution shall take effect upon publication and pursuant to law.

**APPROVED** this 2<sup>nd</sup> day of January, 2018.

**ATTEST:**

---

**Ana Minkoff  
Township Clerk**

# 23

**TOWNSHIP OF BERKELEY HEIGHTS  
UNION COUNTY, NEW JERSEY**

**RESOLUTION**

**WHEREAS**, the Township of Berkeley Heights desires to renew the professional services agreement with Van Cleef Engineering Associates ("Van Cleef") for the provision of on-call licensed operator (S-4) services by a professional engineering services for the Township Water Pollution Control Plant from January 1, 2018 to December 31, 2018; and

**WHEREAS**, NJAC 7:10A-1.10(f) requires that anytime the licensed operator is unavailable to cover the system for which he or she is the licensed operator, the owner shall obtain the services of a licensee holding a license not more than one class lower than the classification required for the operation of the system to cover the system during the unavailability of the licensed operator; and

**WHEREAS**, the Township and Van Cleef had previously entered into a professional services contract for the provision of such professional services pursuant to the Local Public Contracts Law N.J.S.A. 40A:11-1 *et seq.*, more specifically N.J.S.A. 40A:11-5, which allows for the awarding of a contract for "professional services" without public advertising for bids; and

**WHEREAS**, Van Cleef submitted a proposal to renewal the professional services contract with the Township and continue to provide on-call licensed operator (S-4) services; and

**WHEREAS**, the Director of the Water Pollution Control Plant has recommended Van Cleef as an engineering firm with the qualifications and experience necessary to provide the services desired; and

**WHEREAS**, the Township Council has determined that Van Cleef is qualified to provide the services desired; and

**WHEREAS**, this was not awarded through a "fair and open process" pursuant to N.J.S.A. 19:44A-20.4, *et seq.*; and

**WHEREAS**, the Township Council finds it to be in the best interests of the Township to authorize the professional services contract with Van Cleef for the provision of on-call licensed operator (S-4) services for the Township Water Pollution Control Plant from January 1, 2018, to December 31, 2019.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of Berkeley Heights, County of Union, State of New Jersey, hereby authorizes the professional services agreement with Van Cleef Engineering Associates of 299 Cherry Hill Road, Suite 102, Parsippany, New Jersey, 07054, for on-call licensed operator (S-4) services for the Township Water Pollution Control Plant from the period of January 1, 2018, to December 31, 2018.

**BE IT FURTHER RESOLVED** that the appropriate municipal officials shall execute the professional services agreement with Van Cleef.

**BE IT FURTHER RESOLVED** that the Township Treasurer is authorized to process payment to Van Cleef pursuant to the professionals services agreement upon receipt of properly completed vouchers.

**BE IT FURTHER RESOLVED** that the Township Clerk shall advertise the award of this contract as required by law.

**BE IT FURTHER RESOLVED** that a copy of this Resolution shall be forwarded to Van Cleef, and the Director of the Water Pollution Control Plant.

**BE IT FURTHER RESOLVED** that this Resolution shall take effect pursuant to law.

**APPROVED** this 2nd day of January, 2018.

**ATTEST:**

---

Ana Minkoff, Township Clerk

#24

**TOWNSHIP OF BERKELEY HEIGHTS  
UNION COUNTY, NEW JERSEY**

**RESOLUTION**

**WHEREAS**, the Township accepted bids on December 27, 2017, for the provision of Aluminum Sulfate for the Water Pollution Control Plant for 2018; and

**WHEREAS**, the Superintendent of the Wastewater, has recommended that the bid be awarded to the lowest bidder, USALCO, 2601 Cannery Avenue, Baltimore, MD, 21226, be accepted and the Township Council concurs.

**NOW, THEREFORE BE IT RESOLVED** by the Township Council, of the Township of Berkeley Heights, County of Union, that the appropriate municipal officials are authorized to execute a (2)-year contract with USALCO for the provision of Aluminum Sulfate in an amount not to exceed \$108,119.00 for (2) years, and the Treasurer is authorized to pay properly completed vouchers up to such amount. The Township Clerk shall advertise the award of this contract in accordance with law.

**BE IT FURTHER RESOLVED** that a copy of this Resolution is to be forwarded to the Superintendent of Wastewater, Township Treasurer, and USALCO.

**BE IT FURTHER RESOLVED** that this resolution shall take effect upon publication and pursuant to law.

**APPROVED** this 2nd day of January, 2018.

**ATTEST:**

---

**Ana Minkoff  
Township Clerk**

**TOWNSHIP OF BERKELEY HEIGHTS  
UNION COUNTY, NEW JERSEY**

**RESOLUTION**

**WHEREAS**, the Township of Berkeley Heights will require the services of an **Administrative Agent for Affordable Housing Matters** in 2018; and

**WHEREAS**, the Township Council desires to consent to the Mayor's appointment of CGP&H LLC , to such position for a term to expire December 31, 2018; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A.40A:11-1et seq.) requires that the resolution authorizing the award of a contract for professional services without competitive bids must be publicly advertised; and

**WHEREAS**, this contract is awarded without competitive bidding as a "professional service" under the provisions of said Local Public Contracts Law because said services are rendered or performed by persons authorized by law to practice a recognized profession, which practice is regulated by law, and which practice requires the knowledge of an advanced type in a field of learning acquired by a prolonged, formal course of specified education and instruction, and because it is impossible at this time to know the exact dimensions of the services to be performed, and accordingly, written specifications, and additionally, because the said services are of such a qualitative nature as will not permit the receipt of competitive bids due to the subjective difference in the work product of such persons and the fact that the ethical requirements of such profession will not permit such bidding; and

**NOW, THEREFORE, BE IT RESOLVED** that CGP&H LLC is appointed Administrative Agent for Affordable Housing Matters for a term to expire December 31, 2018; and

**BE IT FURTHER RESOLVED** that the appropriate Township Officials are hereby authorized to execute an Agreement with **CGP&H LLC**.

A copy of this Resolution shall be published according to law within ten (10) days of the date of passage and copies forwarded to the Township Clerk, Office of the Treasurer and the appointee.

**APPROVED** this 2nd day of January, 2018.

**ATTEST:**

\_\_\_\_\_  
**Ana Minkoff**  
**Township Clerk**

#26

**TOWNSHIP OF BERKELEY HEIGHTS  
UNION COUNTY, NEW JERSEY**

**RESOLUTION**

**WHEREAS**, N.J.S.A. 40A:4-19 provides that where any contract, commitment or payments are to be made prior to the final adoption of the 2018 budget, temporary appropriations should be made for the purpose and amounts required in the manner and time therein provided; and

**WHEREAS**, the date of this resolution is within the first 30 days of the fiscal year; and

**WHEREAS**, the total appropriations in the 2017 budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement and public assistance, is the sum of \$17,104,762.16; and

**WHEREAS**, 26.25% of the total appropriations in the 2017 budget, exclusive of any appropriations made for interest and debt redemption, capital improvement and public assistance in said budget is the sum of \$4,471,664.44.

**NOW, THEREFORE, BE IT RESOLVED** by the Township council of the Township of Berkeley Heights, in the County of Union, State of New Jersey, that the following appropriations be made and a certified copy of this resolution be transmitted to the Chief Financial Officer for his/her records:

**TEMPORARY APPROPRIATIONS - 2018**

| <u>TITLE</u>              | <u>AMOUNT</u> |
|---------------------------|---------------|
| General Administration:   |               |
| Salaries & Wages          | \$ 49,546.88  |
| Other Expense             | 20,737.50     |
| Mayor:                    |               |
| Salaries & Wages          | 1,050.00      |
| Other Expense             | 321.56        |
| Township Council:         |               |
| Salaries & Wages          | 5,512.50      |
| Other Expense             | 315.00        |
| Township Clerk:           |               |
| Salaries & Wages          | 36,225.00     |
| Other Expense             | 14,043.75     |
| Financial Administration: |               |
| Salaries & Wages          | 40,162.50     |
| Other Expense             | 5,250.00      |
| Auditing Services         | 13,125.00     |
| Tax Collection:           |               |
| Salaries & Wages          | 17,718.75     |
| Other Expense             | 1,273.13      |
| Tax Assessment:           |               |
| Salaries & Wages          | 12,600.00     |
| Other Expense             | 8,091.56      |
| Legal Services            | 53,812.50     |
| Fire Hydrant Service      | 47,512.50     |



|                                 |            |
|---------------------------------|------------|
| Engineering:                    |            |
| Salaries & Wages                | 72,450.00  |
| Other Expense                   | 12,560.63  |
| Planning Board:                 |            |
| Other Expense                   | 29,610.00  |
| Board of Adjustment:            |            |
| Salaries & Wages                | 525.00     |
| Other Expense                   | 2,231.25   |
| Environmental Commission:       |            |
| Other Expense                   | 433.13     |
| Affordable Housing:             |            |
| Other Expense                   | 35,437.50  |
| Uniform Construction Code:      |            |
| Salaries & Wages                | 79,668.75  |
| Other Expense                   | 9,318.75   |
| Insurance:                      |            |
| Liability                       | 126,525.00 |
| Unemployment                    | 3,937.50   |
| Group Health                    | 734,239.80 |
| Police Department:              |            |
| Salaries & Wages                | 866,775.00 |
| Other Expense                   | 44,625.00  |
| Crossing Guards:                |            |
| Salaries & Wages                | 28,612.50  |
| Other Expense                   | 1,312.50   |
| Office of Emergency Management: |            |
| Salaries & Wages                | 2,014.69   |
| Other Expense                   | 872.81     |
| Fire Department:                |            |
| Salaries & Wages                | 262.50     |
| Other Expense                   | 36,750.00  |
| Aid to BHVRS                    | 1,312.50   |
| Fire Prevention:                |            |
| Salaries & Wages                | 7,087.50   |
| Other Expense                   | 1,916.25   |
| Public Defender:                |            |
| Salaries & Wages                | 1,903.13   |
| Municipal Prosecutor:           |            |
| Salaries & Wages                | 4,134.38   |
| Streets & Roads:                |            |
| Salaries & Wages                | 135,581.25 |
| Other Expense                   | 20,475.00  |
| Vehicle Maintenance:            |            |
| Salaries & Wages                | 25,396.88  |
| Other Expense                   | 24,806.25  |
| Solid Waste Collection          | 70,875.00  |
| Bulidings & Grounds:            |            |
| Salaries & Wages                | 35,831.25  |
| Other Expense                   | 19,162.50  |



|                               |                        |
|-------------------------------|------------------------|
| Snow & Ice Removal            |                        |
| Salaries & Wages              | 25,941.56              |
| Other Expense                 | 27,562.50              |
| Public Health Services        |                        |
| Salaries & Wages              | 1,050.00               |
| Other Expense                 | 20,737.50              |
| Welfare Administration:       |                        |
| Salaries & Wages              | 1,050.00               |
| Recreation Services:          |                        |
| Salaries & Wages              | 33,862.50              |
| Other Expense                 | 8,268.75               |
| Municipal Library:            |                        |
| Salaries & Wages              | 140,437.50             |
| Other Expense                 | 152,069.14             |
| Tax Appeals                   | 83,186.25              |
| Postage                       | 3,675.00               |
| Condominium Reimbursement     | 3,937.50               |
| Community on Cable            | 2,756.25               |
| Sewer Plant:                  |                        |
| Salaries & Wages              | 138,075.00             |
| Other Expense                 | 135,030.00             |
| Other Sewer Expense           | 38,062.50              |
| Utilities                     | 213,090.94             |
| Accumulated Absences          | 2,625.00               |
| Municipal Court:              |                        |
| Salaries & Wages              | 7,087.50               |
| Other Expense                 | 26,158.13              |
| Statutory Expenditures        | 440,083.35             |
| Federal & State Grants        | 19,225.28              |
| Reserve for Uncollected Taxes | 183,750.00             |
|                               | <u>\$ 4,471,664.44</u> |
| Salaries & Wages              | \$ 1,770,562.50        |
| Other Expenses                | <u>2,701,101.94</u>    |
|                               | <u>\$ 4,471,664.44</u> |

**Approved this 2nd day of January, 2018.**

**ATTEST:**

\_\_\_\_\_  
**Ana Minkoff**  
**Township Clerk**

# 27

**TOWNSHIP OF BERKELEY HEIGHTS  
UNION COUNTY, NEW JERSEY**

**RESOLUTION**

**WHEREAS**, N.J.S.A. 40A:4-19 provides authority for appropriating in a temporary resolution the permanent debt service requirements for the coming fiscal year providing that such resolution is not made earlier than the last ten days of the preceding fiscal year; and

**WHEREAS**, the date of this resolution is subsequent to that date; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township council of the Township of Berkeley Heights, in the County of Union, State of New Jersey, that the following appropriations be made to cover the period from January 1, 2018 to December 31, 2018 inclusive:

|                                                                 |                               |
|-----------------------------------------------------------------|-------------------------------|
| Payment of Bond Principal                                       | \$ 740,000.00                 |
| Payment of Bond Anticipation Notes                              | 293,786.00                    |
| Interest on Bonds                                               | 172,950.00                    |
| Interest on Notes                                               | 320,010.00                    |
| Repayment for Principal and Interest<br>On Infrastructure Loans | <u>587,125.00</u>             |
|                                                                 | <u><u>\$ 2,113,871.00</u></u> |

**Approved this 2nd day of January, 2018.**

**ATTEST:**

\_\_\_\_\_  
**Ana Minkoff**  
**Township Clerk**

Agenda Item No.: 28

**TOWNSHIP OF BERKELEY HEIGHTS  
UNION COUNTY, NEW JERSEY**

**RESOLUTION**

**WHEREAS**, pursuant to N.J.A.C. 17:27-3.3, the Township of Berkeley Heights ("Township") is required to appoint a public agency compliance officer to ensure that municipal contracts comply with the policy of the State of New Jersey to promote equal employment opportunity and affirmative action with regard to public contracts; and

**WHEREAS**, the public agency compliance officer shall perform the duties prescribed in N.J.A.C. 17:27; shall be responsible for ensuring the Township's compliance with these Rules; and shall perform any other liaison and assistance functions as may be requested by the Division of Public Contracts Equal Employment Opportunity Compliance; and

**WHEREAS**, the Township Council wishes to appoint John Bussiculo as Public Agency Compliance Officer for the Township.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Township Council of the Township of Berkeley Heights that John Bussiculo is hereby appointed as the Township Public Agency Compliance Officer for the 2018 year.

**APPROVED** this 2nd day of January, 2018.

**Attest:**

---

Ana Minkoff  
Township Clerk

Agenda Item No.: 29

**TOWNSHIP OF BERKELEY HEIGHTS  
UNION COUNTY, NEW JERSEY**

**RESOLUTION**

**WHEREAS**, the Township of Berkeley Heights is in need of animal control services as mandated by N.J.S.A. 4:19-15.16, *et seq.*; and

**WHEREAS**, the Township of Berkeley Heights and the Township of Millburn negotiated a shared services agreement for the provision of animal control services; and

**WHEREAS**, the Township of Berkeley Heights and the Township of Millburn and the wish to enter into an agreement for the provision of animal control services for the Township; and

**WHEREAS**, the Township is authorized to enter into this Shared Services Agreement pursuant to the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, *et seq.*; and

**WHEREAS**, the Township has negotiated an Interlocal Agreement for Animal Control Services, which is attached hereto and made a part hereof; and

**WHEREAS**, the Township Council of the Township of Berkeley Heights find it to be in the best interest of the Township and its residents to enter into this Interlocal Agreement with the Township of Millburn for the provision of animal control services for the Township.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Township Council of the Township of Berkeley Heights, in the County of Union, and the State of New Jersey that the Interlocal Agreement with the Township of Millburn for the provision of animal control services for the Township is hereby is approved; and that the Mayor and Township Clerk are authorized and directed to executed the attached Interlocal Agreement.

**BE IT FURTHER RESOLVED** that the Township officials are hereby authorized to take any and all action required to complete this Interlocal Agreement.

**BE IT FURTHER RESOLVED** that this Resolution shall take effect pursuant to law, and the adoption of the appropriate mechanism approving the Shared Services Agreement adopted by the County.

**APPROVED this 2<sup>nd</sup> day of January, 2018.**

**ATTEST:**

---

**Ana Minkoff, Township Clerk**

Agenda Item # 30

**TOWNSHIP OF BERKELEY HEIGHTS  
UNION COUNTY, NEW JERSEY**

**WHEREAS**, the Township Council recognizes that the appointed Municipal Prosecutor may occasionally be unable to perform the duties of his position because of illness or other absence and the Township Council desires to provide for the services of an approved Prosecutor at such times; and

**WHEREAS**, the Municipal Prosecutor has recommended that Michael Wittenberg, Esq., John Henry Barr, Esq., Howard Egenberg, Esq., and Dawn Donohue, Esq., be designated by the Township Council as Attorney's authorized to act as Municipal Prosecutor and the Township Council concurs recognizing that the compensation for such services will be made by the regular Municipal Prosecutor upon such terms and conditions as he and his substitute may agree and the Township is not required to provide any additional funds for such services.

**NOW, THEREFORE BE IT RESOLVED** that Michael Wittenberg, Esq., John Henry Barr, Esq., Howard Egenberg, Esq., and Dawn Donohue, Esq., are hereby designed by the Township of Berkeley Heights as Alternate Municipal Prosecutors for the year 2018 to perform such services in the absence of the appointed Municipal Prosecutor.

**BE IT FURTHER RESOLVED** that copies of this Resolution are to be forwarded to Municipal Court, Municipal Prosecutor, and Michael Wittenberg, Esq., John Henry Barr, Esq., Howard Egenberg, Esq. and Dawn Donohue, Esq.

**APPROVED** this 2nd day of January, 2018.

**ATTEST:**

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Ana Minkoff  
Township Clerk

Agenda Item # 31

**TOWNSHIP OF BERKELEY HEIGHTS  
UNION COUNTY, NEW JERSEY**

**RESOLUTION**

**WHEREAS**, the Township Council recognizes that the appointed Municipal Public Defender may occasionally be unable to perform the duties of his/her position because of illness or other absence and the Township Council desires to provide for the services of an approved Prosecutor at such times; and

**WHEREAS**, the Municipal Defender has recommended that Jared Weiss and Thomas J. Dooley, be designated by the Township Council as Attorney's authorized to act as Municipal Public Defenders and the Township Council concurs recognizing that the compensation for such services will be made by the regular Municipal Public Defender upon such terms and conditions as he and his substitute may agree and the Township is not required to provide any additional funds for such services.

**NOW, THEREFORE BE IT RESOLVED** that Jared Weiss and Thomas J. Dooley are hereby designed by the Township of Berkeley Heights as Alternate Public Defenders for the year 2018 to perform such services in the absence of the appointed Public Defender.

**BE IT FURTHER RESOLVED** that copies of this Resolution are to be forwarded to Municipal Court, Municipal Prosecutor, and Jared Weiss and Thomas J. Dooley.

**APPROVED** this 2nd day of January, 2018.

**ATTEST:**

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Ana Minkoff  
Township Clerk

**TOWNSHIP OF BERKELEY HEIGHTS  
UNION COUNTY, NEW JERSEY**

**RESOLUTION**

**BE AND IT IS HEREBY RESOLVED** by the Township Council of the Township of Berkeley Heights, County of Union, and State of New Jersey, in meeting assembled, that the **PUBLIC MEETINGS** of the Township Council for the year **2018** will be held as follows:

|                                    |                    |
|------------------------------------|--------------------|
| January 2, 2018                    | January 16, 2018   |
| February 6, 2018                   | February 20, 2018  |
| March 6, 2018                      | March 20, 2018     |
| April 3, 2018                      | April 17, 2018     |
| May 8, 2018                        | May 22, 2018       |
| June 12, 2018                      | June 26, 2018      |
| July 10, 2018                      | July 24, 2018      |
| August 14, 2018*                   |                    |
| September 4, 2018                  | September 25, 2018 |
| October 9, 2018                    | October 23, 2018   |
| November 5, 2018 ( <u>Monday</u> ) | November 20, 2018  |
| December 4, 2018                   | December 18, 2018  |

**\*(1) meeting in August**

**Special dates:**

**Primary Election – June 5, 2018**

**General Election – November 6, 2018**

**Budget Meetings – March 5, March 19, March 26, 2018**

All Meetings to be held in the Conference Room and Public Meeting Room of Town Hall, 29 Park Avenue, Berkeley Heights, New Jersey, at 7:00 PM and will not go substantially past 10:30 p.m.; and

**BE IT FURTHER RESOLVED** that an Agenda will be ready to the extent known prior to the Official Public Meetings, said Agenda to be posted on the Township bulletin board in the Municipal Building and available from the Township Clerk; and that any other meetings, either regular or special, beyond the scheduled dates will be announced 48 hours in advance and such notice transmitted to at least two (2) newspapers, in accordance with the State Open Public Meetings Act of 1974, the “Sunshine Law”; and

**BE IT FURTHER RESOLVED** that after the adoption of an appropriate resolution the Council may adjourn to an Executive Session during or at the conclusion of any Public Meeting.

**BE IT FURTHER RESOLVED** that a copy of this resolution be transmitted to the Courier News and Star Ledger in accordance with the aforementioned law.

**Approved this 2<sup>nd</sup> day of January, 2018.**

**ATTEST:**

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**Ana Minkoff**  
**Township Clerk**

**TOWNSHIP OF BERKELEY HEIGHTS  
UNION COUNTY, NEW JERSEY**

**RESOLUTION**

**BE AND IT HEREBY RESOLVED** by the Township Council of the Township of Berkeley Heights, County of Union and State of New Jersey, in meeting assembled, that the Courier News and the Star Ledger are hereby designated as the primary sources of legal advertising for the Township for the year 2018; and

**BE IT FURTHER RESOLVED** that a copy of this resolution be transmitted to. The Courier News and the Star Ledger.

**Approved this 2nd day of January, 2018.**

**ATTEST:**

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**Ana Minkoff  
Township Clerk**



**TOWNSHIP OF BERKELEY HEIGHTS  
UNION COUNTY, NEW JERSEY**

**RESOLUTION**

**WHEREAS**, it is necessary that the Township Council adopt a Resolution authorizing the Mayor to sign all checks, drafts and other legal instruments for and on behalf of the Township as Mayor as long as said person shall serve in such capacity; and

**WHEREAS**, it is necessary that the Township Council also adopt a resolution authorizing the Township Treasurer and the Assistant Treasurer to sign all checks, drafts and other legal instruments for and on behalf of the Township in their respective capacities.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Berkeley Heights, County of Union and State of New Jersey, in meeting assembled, that pursuant to the foregoing, Mayor Robert Woodruff as well as the Township Treasurer and the Assistant Treasurer are hereby duly authorized and directed to sign and execute all checks, drafts and other legal instruments desirable or necessary in the performance of their duties commencing January 1, 2018; and

**BE IT FURTHER RESOLVED** that copies of this resolution be transmitted to the banks and depositories of Township funds.

**Approved this 2nd day of January, 2018.**

**ATTEST:**

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**Ana Minkoff  
Township Clerk**

**TOWNSHIP OF BERKELEY HEIGHTS  
UNION COUNTY, NEW JERSEY**

**RESOLUTION**

**WHEREAS**, it is deemed advisable and in the best interest of the Township to deposit certain funds in the TD Bank, a banking corporation of the State of New Jersey, in an account to be designated as a **"Payroll Account"**.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Berkeley Heights, County of Union and State of New Jersey, in meeting assembled, that pursuant to the foregoing, the Township Treasurer is hereby authorized to maintain in the TD Bank, 331 Springfield Avenue, Berkeley Heights, NJ a Township Account designated as "Payroll Account", and to deposit and withdraw there from Township funds for the purpose of satisfying Township payroll requirements upon his signature alone or, in his absence, upon the signature of the Assistant Treasurer; and

**BE IT FURTHER RESOLVED** that a copy of this resolution be transmitted to the TD Bank, Township Treasurer and Assistant Treasurer.

**Approved this 2nd day of January, 2018.**

**ATTEST:**

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**Ana Minkoff  
Township Clerk**

**TOWNSHIP OF BERKELEY HEIGHTS  
UNION COUNTY, NEW JERSEY**

**RESOLUTION**

**WHEREAS**, pursuant to law, the Township Council may establish the interest rate to be paid in connection with late payment of taxes and sewer charges.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Berkeley Heights, Union County, New Jersey, in meeting assembled that interest on taxes and sewer user charges in arrears for the year 2018 be fixed at the rate of eight (8%) percent per annum on all amounts up to the first \$1,500.00 of obligation and eighteen (18%) percent per annum on any excess over \$1,500.00; and

**BE IT FURTHER RESOLVED** that the said interest rate of eight (8%) percent per annum be applicable on taxes and sewer user charges in arrears for preceding years on all amounts up to the first \$1,500.00 of obligation and eighteen (18%) percent per annum on any excess over \$1,500.00.

**BE IT FURTHER RESOLVED** that in addition to the interest provided above, on all delinquencies in excess of \$10,000.00 and which are not paid prior to the end of the fiscal year, the tax collector shall also collect a penalty of six (6%) percent of the amount of the delinquency in excess of \$10,000.00.

**BE IT FURTHER RESOLVED**, that the grace period of ten (10) calendar day will be allowed within which an installment of taxes or assessments may be received without additional charge of interest as provided by Chapter 105, Laws of 1965.

**BE IT FURTHER RESOLVED** that copies of this resolution be transmitted to the Tax Collector, Township Clerk, and the Treasurer.

**Approved this 2nd day of January, 2018.**

**ATTEST:**

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**Ana Minkoff  
Township Clerk**

**TOWNSHIP OF BERKELEY HEIGHTS  
UNION COUNTY, NEW JERSEY**

**RESOLUTION**

**BE AND IT IS HEREBY RESOLVED**, by the Township Council of the Township of Berkeley Heights, County of Union and State of New Jersey, in meeting assembled, that for good cause shown, the following are established as the petty cash funds for the various departments in the Township of Berkeley Heights for the year 2018:

Treasurer .....\$ 500.00  
Police Chief.....\$ 500.00

**AND BE IT FURTHER RESOLVED** that certification is hereby made that the persons having custody of the funds will be bonded with corporate surety in an amount not less than \$1,000.00 and shall be as follows:

|              |                 |
|--------------|-----------------|
| Treasurer    | Michel Marceau  |
| Police Chief | John DiPasquale |

**AND BE IT FURTHER RESOLVED** that copies of this resolution be transmitted to the above mentioned individuals.

**Approved this 2nd day of January, 2018.**

**ATTEST:**

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**Ana Minkoff  
Township Clerk**

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**TOWNSHIP OF BERKELEY HEIGHTS  
UNION COUNTY, NEW JERSEY**

**RESOLUTION**

**WHEREAS**, it is the desire of the Tax Collector to conduct an annual tax sale of the prior year delinquencies; and

**WHEREAS**, in accordance with Chapter 99 regulations, a resolution is necessary to do so.

**NOW THEREFORE BE IT RESOLVED** by the Township Council of the Township of Berkeley Heights that the Tax Collector is hereby authorized to conduct an annual tax sale of prior year delinquencies.

**Approved this 2nd day of January, 2018.**

**ATTEST:**

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**Ana Minkoff  
Township Clerk**

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**TOWNSHIP OF BERKELEY HEIGHTS  
UNION COUNTY, NEW JERSEY**

**RESOLUTION**

**WHEREAS**, N.J.S.A. 40A:5-17 allows for the cancellation of property tax overpayments or delinquent amounts in the amounts of less than \$10.00; and,

**WHEREAS**, the governing body may authorize the Tax Collector to process, without further action on their part, any cancellation of property tax overpayments or delinquencies of less than \$10.00.

**NOW, THEREFORE, BE IT RESOLVED**, that the Township Council of the Township of Berkeley Heights, County of Union, State of New Jersey, hereby authorize the Tax Collector to cancel said tax amounts as deemed necessary.

**BE IF FURTHER RESOLVED**, that a copy of this Resolution be forwarded to the Tax Collector, the Chief Financial Officer.

**APPROVED** this 2nd day of January, 2018.

**ATTEST:**

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Ana Minkoff  
Township Clerk

**TOWNSHIP OF BERKELEY HEIGHTS  
UNION COUNTY, NEW JERSEY**

**RESOLUTION**

**BE AND IT IS HEREBY RESOLVED** by the Township Council of the Township of Berkeley Heights, County of Union and State of New Jersey, in meeting assembled, that the following institutions be and are hereby designated as depositories of Township funds for the year 2018:

**Bank of America**, 145 Snyder Avenue, Berkeley Heights, NJ 07922

**TD Bank**, 331 Springfield Avenue, Berkeley Heights, NJ 07922

**State of NJ Cash Management Fund**, Dean Wittier Trust Co.

**Wells Fargo Bank**, 350 Springfield Avenue, Berkeley Heights, NJ

**Connect One Bank**, 512 Springfield Avenue, Berkeley Heights, NJ

**Hilltop Community Bank**, 555 Springfield Avenue, Berkeley Heights, NJ

**Investor's Savings Bank**, 441 Springfield Avenue, Berkeley Heights, NJ

**AND WHEREAS**, the Township Council desires to provide and designate the officials of the Township who may issue and sign checks, drafts and other instruments for the withdrawal of funds for municipal purposes deposited in the banks aforesaid.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Berkeley Heights, County of Union and State of New Jersey, in meeting assembled, that pursuant to the foregoing, for the year 2018 and until modified by subsequent resolution, the signatures of the two (2) following municipal officials shall be required on any document for the withdrawal of funds for municipal purposes from the aforementioned banks, to wit:

**Mayor Robert Woodruff and Township Treasurer**; with the exception of checks, drafts and other documents for withdrawal from any payroll account, which document will be signed only by the Treasurer or in his absence, by the Assistant Treasurer; and

**BE IT FURTHER RESOLVED** that the Assistant Treasurer, is hereby authorized to sign the documents aforesaid, but only in the event of the absence of the Township Treasurer; and

**BE IT FURTHER RESOLVED** that a copy of this resolution be transmitted to the aforementioned individuals and the banking institutions named herein.

**Approved this 2nd day of January, 2018.**

**ATTEST:**

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**Ana Minkoff**  
**Township Clerk**